

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
PAMELA HOSIE, :  
Individually and on behalf of all others :  
similarly situated, :  
: 07 Civ. 9515 (BSJ) (KNF)  
Plaintiff, :  
: :  
- against - :  
: :  
COLGATE-PALMOLIVE COMPANY :  
EMPLOYEE RETIREMENT INCOME :  
PLAN, COLGATE-PALMOLIVE :  
COMPANY, as Plan Administrator, :  
: :  
Defendants. :  
-----X

[Additional captions follow]

**NOTICE OF MOTION BY PLAINTIFFS PAMELA HOSIE, PAUL CAUFIELD, PAUL  
ABELMAN, VALERIE R. NUTTER, WARREN JEMMOTT, SUSAN BYRD, ADRIANA  
VASQUEZ AND CORA NELSON-MANLEY TO: CONSOLIDATE ERISA ACTIONS;  
APPOINT INTERIM CO-LEAD CLASS COUNSEL; AND FOR ENTRY OF PRETRIAL  
ORDER NO. 1**

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PAUL CAUFIELD,	:
Individually and on behalf of all others	:
similarly situated,	:
	: 08 Civ. 3316 (BSJ) (KNF)
Plaintiff,	:
	:
- against -	:
	:
COLGATE-PALMOLIVE COMPANY	:
EMPLOYEES' RETIREMENT INCOME	:
PLAN	:
Defendant.	:
-----X	
-----X	
PAUL ABELMAN, et al.	:
Individually and on behalf of all others	:
similarly situated,	:
	: 08 Civ. 3317 (BSJ) (KNF)
Plaintiffs,	:
	:
- against -	:
	:
COLGATE-PALMOLIVE COMPANY, and	:
COLGATE-PALMOLIVE COMPANY	:
EMPLOYEES' RETIREMENT INCOME	:
PLAN, et al.,	:
Defendants.	:
-----X	

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on a date to be determined by the Court, Plaintiffs Pamela Hosie, Paul Caufield, Paul Abelman, Valerie R. Nutter, Warren Jemmott, Susan Byrd, Adriana Vasquez and Cora Nelson-Manley (“Plaintiffs”), by the undersigned counsel, will move this Court to enter [Proposed] Pretrial Order No. 1: (1) consolidating the above captioned actions and (2) appointing Schiffrin Barroway Topaz & Kessler, LLP (“SBTK”), Korein Tillery, LLC, (“Korein Tillery”), Gottesdiener Law Firm, PLLC (“Gottesdiener”) and Edgar Pauk, Esq. as Interim Co-Lead Class Counsel. In support of Plaintiffs’ motion, Plaintiffs aver as follows:

1. Plaintiffs in the above-referenced class actions (the “ERISA Actions”) filed Complaints for violations of the Employee Retirement Income Security Act of 1974 (“ERISA”) against Colgate-Palmolive Company Employee Retirement Income Plan (the “Plan”), Colgate-Palmolive Company (“Colgate”) and certain other fiduciaries of the Plan, a retirement plan established and sponsored by Colgate as a benefit for its employees. The ERISA Actions, each of which is currently pending before this Court: (a) allege substantially similar breaches of ERISA; (b) have overlapping classes of participants and beneficiaries of the Plan; and (c) seek to recover losses arising from the alleged breaches of ERISA.

2. By this Motion, Plaintiffs respectfully move this Court for an Order formally setting forth procedures for the efficient management of the ERISA Actions, including the appointment of a leadership structure for Plaintiffs’ counsel. Because the above-captioned ERISA Actions contain substantially similar allegations and seek the same form of relief, in accordance with the *Annotated Manual for Complex Litigation* (4th ed. 2008) (the “Manual”), in addition to consolidation, it is appropriate for the Court to enter an order setting forth procedures for the management of these cases and appointing a leadership structure for Plaintiffs’ counsel.

3. This Motion is based on the accompanying Memorandum of Law, the Declaration of Edward W. Ciolko, Esq., and all papers and pleadings on file in this and the related cases filed with this Court.

Dated: August 20, 2008

Respectfully submitted,

/s/ Edward W. Ciolko

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Adriana Vasquez and Cora Nelson-Manley  
and Proposed Interim Co-Lead Counsel for  
the Class*

**CERTIFICATION**

This is to certify that the foregoing documents were served on this the 18<sup>th</sup> day of August, 2008, via electronic mail to all persons on the attached service list:

- 1) Notice of Motion by Plaintiffs Pamela Hosie, Paul Caufield, Paul Abelman, Valerie R. Nutter, Warren Jemmott, Susan Byrd, Adriana Vasquez and Cora Nelson-Manley to: Consolidate the ERISA Actions; Appoint Interim Co-Lead Class Counsel; and for Entry of Pretrial Order No. 1;
- 2) Memorandum of Law in Support of Plaintiffs Pamela Hosie, Paul Caufield, Paul Abelman, Valerie R. Nutter, Warren Jemmott, Susan Byrd, Adriana Vasquez and Cora Nelson-Manley's Motion to: Consolidate the ERISA Actions; Appoint Interim Co-Lead Class Counsel; and for Entry of Pretrial Order No. 1;
- 3) Plaintiffs Pamela Hosie, Paul Caufield, Paul Abelman, Valerie R. Nutter, Warren Jemmott, Susan Byrd, Adriana Vasquez and Cora Nelson-Manley [Proposed] Pretrial Order No. 1 Consolidating the ERISA Actions and Appointing Interim Co-Lead Class Counsel; and
- 4) Declaration (with attached exhibits) of Edward W. Ciolko in Support of Motion by Plaintiffs Pamela Hosie, Paul Caufield, Paul Abelman, Valerie R. Nutter, Warren Jemmott, Susan Byrd, Adriana Vasquez and Cora Nelson-Manley to: Consolidate the ERISA Actions; Appoint Interim Co-Lead Class Counsel; and for Entry of Pretrial Order No. 1.

/s/ Edward W. Ciolko